

12-12-81
DECISION



20518
P.L. 2
Zachary
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON D.C. 20548

FILE: B-205997

DATE: January 12, 1982

MATTER OF: Sunbelt Energy Systems, Inc.

DIGEST:

GAO does not review bid protests involving Bonneville Power Administration (BPA) procurements since Administrator of BPA has broad discretion in contractual matters so that GAO could not take effective remedial action with respect to BPA procurement actions.

Sunbelt Energy Systems, Inc. protests the award of a contract by the Bonneville Power Administration (BPA) in connection with request for quotations No. DE-RQ79-81BP2850. For the reasons stated below, we do not review bid protests involving BPA procurements.

The Bonneville Project Act, as amended, 16 U.S.C. §§ 832 et seq. (1976), affords the BPA Administrator extensive discretionary authority to conduct the BPA's contractual affairs as he deems appropriate to promote the BPA's interests. Section 832a(f) of title 16 was enacted to free the BPA from procurement regulations and restrictions applicable to agencies conducting more conventional Government business and thus enable the Administrator to conduct BPA's business with a freedom similar to that of public corporations. See 46 Comp. Gen. 349 (1966). In light of the Administrator's broad discretion, we have found that we could not take any effective remedial action with respect to BPA's procurement actions and thus have consistently declined to review protests of BPA procurements because no useful purpose would be served thereby. Burnham & Kohutek Associates, Inc., B-202857, June 25, 1981, 81-1 CPD 530.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel